

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

RATHEL MARTIN, as Conservator of  
JOSEPH WRIGHT, and  
TEESHA WRIGHT,

*Plaintiffs,*

v.

CYNTHIA L. MAUK, in her professional  
and individual capacity, *et al.*,

*Defendants.*

No. 1:14-cv-243-SKL

**ORDER**

Before the Court is Defendants' motion for an order of release of Plaintiff Joseph Wright's health information, with attached proposed order, which requests an expedited briefing schedule and hearing [Doc. 97 and 97-1]. The Court construes this motion as seeking discovery, which invokes the requirements of Federal Rule of Civil Procedure 37(a)(1). Thus, the movant "must include a certification that the movant has in good faith conferred or attempted to confer with the person or party failing to make disclosure or discovery in an effort to obtain it without court action." Defendants have not included the required certification with their motion. In fact, there is no mention in Defendants' motion of any attempt by counsel to confer regarding an agreed order for release of Plaintiff Joseph Wright's medical records.

The parties are **ORDERED** to confer by telephone within **three days** concerning the relief requested in the motion and a possible resolution of same. If mutual agreement is not reached

when counsel confer by telephone they are **DIRECTED** to jointly contact chambers via telephone to schedule an in-person hearing subject to the requirements and sanctions addressed in Rule 37.

SO ORDERED.

ENTER:

s/ *Susan K. Lee*

SUSAN K. LEE  
UNITED STATES MAGISTRATE JUDGE